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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,866	03/31/2001	Jochen Kappel	051207-1060	7022

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DORITY & MANNING, P.A.
ONE LIBERTY SQUARE
55 BEATTIE PLACE
SUITE 1600
GREENVILLE, SC 29601

EXAMINER

LAO, SUE X

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 03/11/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No

09/823,866

Applicant(s)

KAPPEL ET AL.

Examiner

S. Lao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4.6</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-20 are presented for examination.

3. Applicants recite a co-pending application by attorney docket number on page 1 of the specification. Please update the docket number into U. S. application serial number.

4. Claim 18 is objected to because of the following informalities: missing "." on line 3. Appropriate correction is required.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 6-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6 and 11 recite "the component framework" in lines 5 and 6, respectively. There is insufficient antecedent basis for this limitation in the claims. For the purpose of art rejection, it is interpreted as "a component framework", as best understood and as it appears to be.

Claims 7-10 and 12-15 depend from claims 6 and 11, respectively.

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7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. 112, first paragraph, as failing to adequately teach the claimed limitation "the at least two objects are address classes" as recited in claims 4, 5, 9, 10, 14, 15, 19 and 20.

In the application as filed, there does not appear to be any detailed descriptions or disclosure of the objects being address classes. At best, applicant discloses objects that address classes. See application as filed, page 12, lines 24-25.

Claims 4, 5, 9, 10, 14, 15, 19 and 20 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Applicant recites "the at least two objects are address classes" in claims 4, 5, 9, 10, 14, 15, 19 and 20. There does not appear to be a written description of the claimed limitation in the application as filed, for the reasons set forth in the objection to the specification.

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1, 6, 11, 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Schmidt ("Wrapper Façade – A Structural Pattern for Encapsulating Functions within Classes").

Regarding claims 1-20, it is noted that as disclosed, an object refers to a function/procedure and a component to a set of objects. See application as filed, page 10, lines 9-10.

As to claim 1, Schmidt teaches a system for providing object to object communication (client - server communications), comprising:

means for identifying at least two objects (database, printer services) from a plurality of objects (database, printer, console services/functions) to communicate (invoke / request) [fig.s 1, 3];

means for locating the at least two objects to communicate (socket handles) [page 1, right col.; page 6, right col., 2nd code listing]; and

means for using a component framework (wrapper façade implemented as frameworks such as ACE) to enable the communication (forward client invocations) of the at least two objects [page 4, sections 2.7, 2.8; page 6, section "The socket wrapper façade"].

As to claim 6, 11, and 16, these are the respective method, program product and system claims of claim 1. Thus note claim 1 for discussion. Further regarding claim 16, note the equivalence of an identifier that identifies / means for identifying, a locator that locates / means for locating.

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 2-4, 7-9, 12-14, 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schemidt.

As to claim 2, Schmidt teaches means for determining (logging server) if the at least two objects (database, printer services/functions) are within different components

(database, printer) [fig. 1]. While not explicitly stated, the database and the printer services would each have contained multiple objects.

As to claim 3, Schmidt teaches means for using a wrapper façade to enable the communication of the at least two objects [wrapper façade, see discussion of claim 1] if the at least two objects are within different components [The database and printer objects/functions are within the database and the printer services].

As to claim 4, note section 7 of this office action for 'the at least two objects are address classes'. It is noted that in Schmidt objects address/represent classes of the underlying functions such as threading, sockets and mutex (pages 5-7). Thus it would have been obvious to call the at least two objects "address classes".

As to claims 7-9, 12-14 and 17-19, these are the method, program product and system claims of claims 2-4, respectively. Thus note claims 2-4 for discussions.

12. Claims 5, 10, 15, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt in view of Foody et al (US Pat. 5,732,270).

As to claim 5, Note section 7 of this office action for 'the at least two objects are address classes'. Schmidt does not teach translation from one view to another view.

Foody teaches object communications across heterogeneous systems (fig. 11), including translating from one view to another view (convert types) during communication (call). See col. 13, line 58 – col. 14, line 4. Given the teaching of Foody, it would have been obvious to include into Schmidt translation from one view to another view. One of ordinary skill in the art would have been motivated to combine the teachings of Schmidt and Foody because this would have provided bi-directional interoperability (Foody, col. 6, lines 47-59) which is desirable to the heterogeneous systems of Schmidt (page 1, fig. 1) wherein a client desires both to send a request to and to receive a response from heterogeneous services such as database and printing.


As to claim 10, 15, 20, these are the respective method, program product and system claims of claim 5. Thus note claim 5 for discussion.

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13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue Lao whose telephone number is (703) 305-9657. A voice mail service is also available at this number. The examiner's supervisor, SPE Meng-Ai An, can be reached on (703) 305 9678. The examiner can normally be reached on Monday - Friday, from 9AM to 5PM. The fax phone number for the organization where this application or proceeding is assigned is (703) 872 9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Sue Lao 

February 26, 2004